

Chairman Vap called the regularly scheduled meeting to order at 10:05 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

GENERAL ADMINISTRATION

Notice was duly published October 4, 2005 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held October 4, 2005 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Tuesday, October 4, 2005:

NUSF-48/ Commission Hearing Room, Lincoln.
PI-104 In the Matter of the Commission, on its own motion, seeking
1:30 to investigate issues related to providing dedicated
universal service support for wireless telecommunications
services. Commissioner Landis presiding as Hearing
Officer.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of the complaints received in the preceding month.

AD-323r In the Matter of MedAssist, Inc., Louisville, Kentucky,
seeking authority to register the connection of an
automatic dialing-announcing device: Motion made by Commissioner
Lowell Johnson, seconded by Commissioner Frank Landis, to enter an
order granting the application. Motion passed with Commissioners Anne
Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting
AYE.

C-3345/ In the Matter of the Commission, on its own motion, seeking
NUSF-42/ to investigate Qwest's Switched Access Charge Rates. Com-
PI-93 missioner Landis presiding as Hearing Officer: The Commis-
sion was informed that Hearing Officer Landis entered
an order on October 4, 2005 continuing the hearing previously sche-
duled for October 25, 2005, to a date later to be determined.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3448/ In the Matter of the Joint Petition of Allo Communications,
NUSF-46/ LLC, Imperial; Mobius Communications Company, Hemingford;
PI-102 and Pinpoint Communications, Inc., Cambridge, seeking a
docket to investigate findings and conclusions under C-2516
and NUSF-26 regarding competitive business telecommunications. Com-
missioner Vap presiding as Hearing Officer: Motion made by Commis-
sioner Anne Boyle, seconded by Commissioner Rod Johnson, to schedule a
hearing for November 10, 2005 at 10:00 a.m. in the Commission Hearing
Room, Lincoln, and grant Qwest's Petition for Formal Intervention.
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod
Johnson, Frank Landis and Jerry Vap voting AYE.

C-3489/ In the Matter of the Commission, on its own motion, seeking
PI-108 comment on the request by United Way of the Midlands to be
assigned the use of "211" in Cedar County for access to
First Call for Help (FCFH), a comprehensive information and referral
service: Motion made by Commissioner Rod Johnson, seconded by Commis-
sioner Frank Landis, to enter an order opening the docket. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

E-2086 In the Matter of Loup River Public Power District,
Columbus, seeking authority to construct, operate and
maintain an electric transmission line in Platte and Nance Counties:
Motion made by Commissioner Rod Johnson, seconded by Commissioner
Lowell Johnson, to enter an order granting the application. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

Gene Hand reported that the 2005 Annual Report on Telecom-
munications was filed electronically with the Clerk of the Legislature
on Friday, September 30, 2005, and is posted to the Commission's web-
site.

Steve Stovall reported on recent Telecommunications Relay
Service activities and provided a National Association for State Relay
Administration Conference update.

UNIVERSAL SERVICE FUND

NUSF-46/ In the Matter of the Joint Petition of Allo Communications,
C-3448/ LLC, Imperial; Mobius Communications Company, Hemingford;
PI-102 and Pinpoint Communications, Inc., Cambridge, seeking a
docket to investigate findings and conclusions under C-2516
and NUSF-26 regarding competitive business telecommunications. Commis-
sioner Vap presiding as Hearing Officer: An order was entered under
the Communications Department agenda.

UNIVERSAL SERVICE FUND (Cont.)

NUSF-26 In the Matter of the Commission, on its own motion, seeking to establish a long-term universal service funding mechanism: Jeff Pursley discussed Telehealth hospital payments.

NUSF-42/ In the Matter of the Commission, on its own motion, seeking
C-3345/ to investigate Qwest's Switched Access Charge Rates.

PI-93 Commissioner Landis presiding as Hearing Officer: Jeff Pursley discussed Hearing Officer Landis' Order entered October 4, 2005, continuing the hearing previously scheduled for October 25, 2005, to a date later to be determined.

NATURAL GAS DEPARTMENT

NG-0004.1 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking a waiver of the 30-day notice period under *Neb. Rev. Stat.* 66-1854 and to recover the gas cost portion of uncollectible accounts through its Gas Cost Adjustment tariff. Commissioner Landis presiding as Hearing Officer: Angela Melton reported that Hearing Officer Landis issued a Modified Planning Conference Order on September 28, 2005, addressing direct testimony, exhibits, post hearing brief and late filed exhibit requirements.

NG-0030/ In the Matter of the Commission, on its own motion, seeking
PI-98 to conduct an investigation of alternative rate design for commercial and industrial ratepayers. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to enter an order scheduling a workshop for November 29, 2005, at 1:30 p.m. in the Commission Library, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Angela Melton provided a report on the number and nature of natural gas consumer inquiries and complaints received during the previous month.

P-0010 In the Matter of Metropolitan Utilities District of Omaha, Omaha, seeking resolution of a dispute under *Neb. Rev. Stat.* Section 57-1306: Angela Melton reported that a Formal Complaint was filed on September 30, 2005, and the answer date will be October 19, 2005.

LEGISLATIVE REPORT

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson, to approve the Transportation and Natural Gas Proposals for the 2006 Legislative session. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1659 In the Matter of Central Limousine, Grand Island, seeking to acquire, through transfer, the authority held by Darryl Wilhelmi, dba Central Limo Service, Grand Island, in Certificate Number B-1552: Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to enter an order granting the application and revoking Certificate B-1552. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

B-1671 In the Matter of Ronald L. Nelson, dba Ron's Wedding Bus, Edgar, seeking authority as a common carrier on special party transportation by bus of passengers and their baggage over irregular routes between points in Clay, Fillmore, Nuckolls, Webster and Thayer counties, on the one hand, and, on the other hand, points between said counties. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson present not voting.

Rate Division

TR-148 In the Matter of Golden Plains Services LLC, dba High Plains Cab Service, McCook, seeking authority to adjust its rates and charges: A video hearing was scheduled for November 7, 2005, at 10:30 a.m. in the Commission Library, Lincoln; Nebraska State Office Building, Room 207, Second Floor, 1313 Farnam Street, Omaha; Public Library, Second Floor, 517 West 4th Street, Hastings; and Von Riesen Library, Room 6, 1205 East 3rd Street, McCook. Commissioner Vap was appointed as Hearing Officer.

TR-148 In the Matter of Golden Plains Services LLC, dba High Plains Cab Service, McCook, seeking authority to adjust its rates and charges: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting an amendment to the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was increased to 82 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-1552 In the Matter of Schilling Grain, Inc., Pawnee City, seeking cancellation of its Public Grain Warehouse License: The request was granted effective September 26, 2005.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GW-2116 In the Matter of Employers Mutual Casualty Company seeking cancellation of its Continuous Public Grain Warehouse Bond No. T20 89 58 in the amount of \$561,100.00, issued on behalf of Hill-top Feed & Grain, Inc., Wisner: The application was granted effective October 1, 2005.

Grain Dealer Division

GD-2870 In the Matter of Farmland Mutual Insurance Company seeking cancellation of its Continuous Grain Dealer Bond BR 100434-A in the amount of \$35,000.00, issued on behalf of The Decatur Cooperative Association, Oberlin, Kansas: The application was granted effective October 1, 2005.

GD-2870 In the Matter of The Decatur Cooperative Association, Oberlin, Kansas, seeking cancellation of its Grain Dealer License: The request was granted effective October 1, 2005.

GD-2896 In the Matter of Behmer Trucking, Inc., Winside, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending September 30, 2006: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

GD-2898 In the Matter of Scott W. Schneider, Inc., Funk, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending June 30, 2006: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Commissioner Landis exited the Commission Hearing Room.

GENERAL ADMINISTRATION

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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|--------------------------|-------------|
| Ted Burkey | \$ 2,270.00 |
| Larry Fauss | 800.00 |
| Liberty Consulting Group | 3,863.70 |
| NARUC | 5,977.00 |
| Robert Bowman | 676.12 |
| Mark Breiner | 664.08 |

GENERAL ADMINISTRATION (Cont.)

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|----------------|-----------|
| Fred Massing | \$ 681.84 |
| Anne Boyle | 465.60 |
| Lowell Johnson | 231.39 |
| Rod Johnson | 373.45 |

Upon agreement of all Commissioners present, authorization was granted for Rod Johnson to attend the Mid America Telecom Showcase to be held in Kansas City, Missouri from October 16-18, 2005.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to approve the proposed revisions to the Commission Policy Manual. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to go into closed session to discuss personnel matters. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting. The Commission went into closed session at 10:55 a.m.

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to return to open session. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting. The Commission returned to open session at 11:07 a.m.

The meeting adjourned at 11:08 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Vap present, and Commissioner Landis excused. The next regularly scheduled meeting will be held on Wednesday, October 12, 2005, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on October 11, 2005.

Chairman

Executive Director